

REMARKS

This amendment responds to the office action mailed August 2, 2005. In the Office Action the Examiner:

- allowed claims 18-33;
- rejected claims 1, 9, 12 and 34 under 35 U.S.C. 102(b) as anticipated by Otsuka et al. (US 6,307,791); and
- objected to claims 2-8, 10-11 and 13-17 are objected to as being dependent upon a rejected base claim.

After entry of this amendment, the pending claims are: claims 1-34.

Overview of Changes to the Claims

Independent claims 1 and 34 have been amended to clarify that the adjustable impedance controller generates an impedance adjustment signal “in accordance with topology information.” Support for this amendment is found in the specification in paragraph 33, lines 12-13. As such, this amendment does not constitute new matter.

Remarks Concerning Oath/Declaration

Contrary to the Examiner’s objection, a valid declaration was filed for the second inventor on September 15, 2003. The supplemental declaration filed March 2, 2005 was filed solely for the purpose of the correcting the spelling of the first inventor’s name, and does not require the signature of the second inventor. The rules of the USPTO allow the filing of separate declarations by each inventor; in this case the declaration of the second inventor filed in 2003 is separate from the supplemental declaration filed by the first inventor in 2005.

The Examiner is respectfully requested to withdraw the objection to the declaration.

A copy of the declaration filed September 15, 2003 is enclosed for the Examiner’s convenience.

35 U.S.C. §102(e)

In the present Office Action the Examiner has rejected claims 1, 9, 12 and 34 as anticipated by Otsuka et al. et al. The Applicants disagree and traverse.

After entry of the present reply, pending independent claims 1 and 34 include the limitation of generates an impedance adjustment signal “in accordance with topology information.” Otsuka et al. does not teach or disclose this limitation. As such, Otsuka et al.

does not anticipate these claims. Since dependent claims 9 and 12 contain the limitations of independent claim 1, Otsika et al. does not anticipate these claims, either. Removal of this ground for rejection is requested.

Prior Art Made of Record

In the present Office Action, the Examiner indicated a reference (US 6,157,206) not relied upon is considered pertinent to the present application. Under 37 CFR 1.111(b), “(t)he reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references” (emphasis added). It is respectfully noted that the office action did not apply any of these listed references to any of the pending claims. Nevertheless, the applicant observes that this reference does not disclose or teach all the limitations of the pending claims.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-7501, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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Gary S. Williams

MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square, Suite 700
3000 El Camino Real
Palo Alto, California 94306
(650) 843-4000

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(Reg. No.)